

**M.Cr.C. No.828/2016**

**(Shrikishan alias Kishana Vs. State of M.P.)**

**18.02.2016**

Shri G.S. Sharma, Advocate for applicant.

Shri Vijay Sundaram, Panel Lawyer for Respondent/State.

Case Diary is perused.

Learned counsel for the rival parties are heard.

The applicant has filed this 1<sup>st</sup> bail application u/S 439, Cr.P.C. for grant of bail. The applicant has been arrested by Police Station Pahadgarh Distt. Morena in connection with Crime No.144/2015 registered in relation to the offences punishable u/Ss 376, 366, 458, 342, 506-B read with Sec 34 of IPC and Sec 25/27 of Arms Act.

Learned Panel Lawyer for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of bail is made out.

Applicant is in custody since 24.11.2015, chargesheet has been filed where allegation against the applicant is of committing rape against prosecutrix aged 15 years.

The statement of the prosecutrix recorded u/S 164 Cr.P.C. appears to be implicative in nature and therefore for the time being no case for bail is made out.

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Accordingly, this 1<sup>st</sup> bail application stands dismissed with liberty to the applicant to approach this Court again in case trial gets further delayed for reasons not attributed to the applicant.

**(Sheel Nagu)  
Judge**

sh/-